

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, JANUARY 27, 2022

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APPLICATION OF

VIRGINIA NATURAL GAS, INC.

CASE NO. PUR-2021-00298

For approval of a new rate schedule and tariff,
designated Schedule 17, Renewable Natural Gas
Receipt Service; implementation of a
Renewable Natural Gas Pilot Program; and
approval to modify Terms and Conditions,
pursuant to § 56-234 of the Code of Virginia

ORDER FOR NOTICE AND HEARING

On December 21, 2021, Virginia Natural Gas, Inc. ("VNG" or "Company") filed an application ("Application") with the State Corporation Commission ("Commission") for "approval of its comprehensive program to promote sustainable natural gas development and production throughout the Commonwealth of Virginia" ("Sustainable Gas Program").¹ Specifically, as part of its Sustainable Gas Program, VNG seeks approval to: (i) establish a new rate schedule and tariff designated Rate Schedule 17, Renewable Natural Gas Receipt Service ("Schedule 17"), to allow renewable natural gas ("RNG") suppliers to interconnect production facilities with VNG's pipeline system pursuant to § 56-234 A of the Code of Virginia ("Code"); (ii) implement an RNG pilot offering under Code § 56-234 B that will provide an interconnection allowance to be applicable to the capital costs necessary for interconnection ("RNG Interconnection Allowance Pilot" or "Pilot"); and (iii) modify section XX of VNG's

¹ Application at 1.

Terms and Conditions to facilitate use of RNG and next generation natural gas ("NextGen Gas") for use in the Company's natural gas supply portfolio.²

According to VNG, the Sustainable Gas Program would allow and encourage the production and delivery of RNG into VNG's pipeline system, support the procurement of RNG and NextGen Gas for VNG customers, and acquire information to analyze whether, and to what extent, the interconnection of RNG production facilities with VNG's existing system delivers benefits to customers, the Company, the environment, and economic development in the Commonwealth, all while developing best practices for RNG interconnection on a forward basis.³

The Sustainable Gas Program includes the following components: a new rate schedule and tariff, a five-year RNG Interconnection Allowance Pilot, and a tariff modification proposal to permit recovery of incremental costs associated with purchases of RNG and NextGen Gas.⁴ According to VNG, there are no currently operating RNG production facilities interconnected to natural gas infrastructure in the Commonwealth, and VNG is proposing this tariff to facilitate and incentivize the development of such facilities.⁵ The Company states that by offering a standardized and clear set of services, terms, and conditions to RNG producers, interconnection offerings can encourage and facilitate the interconnection of RNG while also providing additional sustainable gas supply options for the pipeline system and existing customers.⁶ In

² *Id.* at 1-2.

³ *Id.* at 4.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

addition, the proposed interconnection allowance for RNG producers will create an incentive to develop projects and keep the supply in the Commonwealth of Virginia.⁷

Schedule 17. The Company's filing includes Schedule 17, which contains the general requirements necessary to serve RNG suppliers as well as a rate calculation methodology to establish a unique facilities fee for each supplier.⁸ Any RNG production facility located within VNG's service territory, or that can otherwise transport gas and interconnect with VNG's service territory, that contracts with the Company for an interconnection to deliver RNG to the Company's system would be eligible to subscribe to Schedule 17.⁹ The Company notes that suppliers would be required to agree to strict provisions and system requirements to ensure the RNG supplied meets the same standards as VNG's flowing gas supply.¹⁰

VNG states that a Commission-approved tariff would provide authority for VNG to build interconnection facilities for RNG suppliers and to calculate and charge a rate that fully recovers the costs to operate and maintain the interconnection between the RNG supplier and VNG's distribution system, as well as costs such as depreciation expense and a reasonable return on any capital invested pursuant to the tariff provision.¹¹

RNG suppliers would subscribe to the new service by executing an interconnection agreement that includes the rate, term, and operational specifics for the project the RNG supplier is developing; each RNG supplier would be charged a facilities fee that accounts for all

⁷ *Id.* at 4-5.

⁸ *Id.* at 5.

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

operations and maintenance ("O&M") expenses for the associated interconnection facilities and for all capital costs not recovered through other aspects of the Sustainable Gas Program.¹²

RNG Interconnection Allowance Pilot. The Company is further proposing a Pilot under which VNG would provide an interconnection allowance for RNG producers to develop projects, keeping the supply in the Commonwealth, and which is designed to attract potential RNG suppliers and incentivize them to interconnect with VNG's system while also providing VNG and its customers an opportunity to immediately begin realizing the benefits of RNG.¹³ VNG asserts that the proposed Pilot is structured so that the Company would spend no more than \$4 million annually (\$20 million over the proposed five-year enrollment period) in capital investment.¹⁴ Under the terms of the Pilot as proposed, any RNG producer that is eligible to subscribe to the proposed Schedule 17 would also be eligible to receive an interconnection allowance under the Pilot; this eligibility would be limited to the active term of the Pilot and would include a per-project cap of \$2 million.¹⁵ VNG proposes to recover this investment (up to \$4 million annually (\$20 million in total)) through base rates, with all other costs directly assigned to, and recovered from, each RNG producer.¹⁶

Each participating RNG producer would be responsible for the annual O&M expenses associated with the facilities needed to interconnect with the Company's existing facilities, an administration fee, and any interconnection-related capital investment that exceeds the

¹² *Id.*

¹³ *Id.* at 6.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.* at 7.

interconnection allowance provided under the Sustainable Gas Program.¹⁷ VNG proposes to bill the annual O&M expenses and administrative fee together in a fixed charge called the "facilities fee."¹⁸ The facilities fee would not be linked to production.¹⁹ VNG would calculate the facilities fee on an annual basis and charge participants in monthly increments.²⁰

The ultimate rate impact of these investments will be determined by the types of projects and the mix of capital investment deployed through this initiative.²¹ Assuming VNG invests the entire \$20 million available under the RNG Interconnection Allowance Pilot, VNG calculates that an average residential customer would experience an increase of less than \$0.50 per month.²² Additionally, for RNG projects that receive an interconnection allowance as part of the RNG Interconnection Allowance Pilot, VNG will receive a negotiated level of environmental attributes from participating facilities commensurate with the Company's capital investment.²³

The Company proposes to synchronize the start date of the Pilot with the execution of the first interconnection agreement under the Sustainable Gas Program to ensure the maximum impact of the Pilot by eliminating idle years at the beginning thereof, while projects are being

¹⁷ *Id.* at 6-7. The RNG producer would pay all interconnection-related capital investment in excess of the actual amount of interconnection assistance received, which assistance could be any dollar amount up to \$2 million. *Id.*

¹⁸ *Id.* at 7.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ *Id.*

proposed but are not yet ready to move forward.²⁴ Once the Pilot commences, VNG proposes an enrollment term of five years.²⁵

Modifications to Terms and Conditions. In addition to participating in the conventional gas market, VNG proposes to purchase both RNG and NextGen Gas for delivery and use on VNG's system.²⁶ VNG further proposes to recover the commodity and any potential incremental costs associated with RNG and/or NextGen Gas through the Company's traditional gas cost recovery mechanism in VNG's tariff.²⁷ To accomplish this, VNG proposes to list RNG and NextGen Gas among the types and sources of gas in the "Definitions" portion of VNG's Terms and Conditions (Section XX. Quarterly Billing Adjustments), thereby including these supply sources and associated incremental costs for recovery.²⁸ VNG would limit the total annual incremental cost associated with RNG and NextGen Gas purchases to 15% of the total annual projected comparable gas cost that would have been included in the Purchased Gas Adjustment component of the Quarterly Billing Adjustment had the RNG and NextGen Gas purchases not been made.²⁹

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; the Company should provide public notice of its Application; a public hearing should be scheduled for the purpose of receiving testimony and

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.* at 8.

²⁷ *Id.*

²⁸ *Id.*; Direct Testimony of John M. Cogburn Schedule 3 at 2.

²⁹ Application at 8.

evidence on the Company's Application; a procedural schedule should be established to allow interested persons an opportunity to file comments on the Company's Application or to participate as a respondent in this proceeding; and the Commission's Staff ("Staff") should be directed to investigate the Application and file testimony and exhibits containing its findings and recommendations thereon. Further, we find that a Hearing Examiner should be appointed to conduct all further proceedings in this matter on behalf of the Commission.

The Commission takes judicial notice of the ongoing public health issues related to the spread of the coronavirus, or COVID-19. The Commission has taken certain actions, and may take additional actions going forward, that could impact the procedures in this proceeding.³⁰ Consistent with these actions, in regard to the terms of the procedural framework established below, the Commission will, among other things, direct the electronic filing of testimony and pleadings unless they contain confidential information, and require electronic service on parties to this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2021-00298.
- (2) All pleadings, briefs, or other documents required to be served in this matter shall be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150, *Copies and format*, of

³⁰ See, e.g., *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic Service of Commission Orders*, Case No. CLK-2020-00004, 2020 S.C.C. Ann. Rept. 76, Order Concerning Electronic Service of Commission Orders (Mar. 19, 2020), *extended by* 2020 S.C.C. Ann. Rept. 77, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020); *Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte: Revised Operating Procedures During COVID-19 Emergency*, Case No. CLK-2020-00005, 2020 S.C.C. Ann. Rept. 77, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020) ("Revised Operating Procedures Order"), *extended by* 2020 S.C.C. Ann. Rept. 78, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020); *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic service among parties during COVID-19 emergency*, Case No. CLK-2020-00007, 2020 S.C.C. Ann. Rept. 79, Order Requiring Electronic Service (Apr. 1, 2020).

the Commission's Rules of Practice and Procedure ("Rules of Practice").³¹ Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.³²

(3) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Rules of Practice, the Commission directs that service on parties and Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, all parties and Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk, so that no party or Staff is impeded from preparing its case.

(4) As provided by Code § 12.1-31 and Rule 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Rules of Practice, a Hearing Examiner is appointed to conduct all further proceedings in this matter on behalf of the Commission.

(5) The Commission hereby schedules a telephonic hearing for the receipt of testimony from public witnesses on the Application, as follows:

- (a) A hearing for the receipt of testimony from public witnesses on the Application shall be convened telephonically at 10 a.m., on June 9, 2022, with no public witness present in the Commission's courtroom.³³

³¹ 5 VAC 5-20-10 *et seq.*

³² As noted in the Commission's Revised Operating Procedures Order, submissions to the Commission's Clerk's Office via U.S. mail or commercial mail equivalents may be subject to delayed processing due to the COVID-19 public health issues.

³³ The Commission will convene counsel of record in this proceeding to attend the public witness hearing virtually.

- (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
- (c) On or before June 3, 2022, any person desiring to offer testimony as a public witness shall provide to the Commission (a) your name, and (b) the telephone number that you wish the Commission to call during the hearing to receive your testimony. This information may be provided to the Commission in three ways: (i) by filling out a form on the Commission's website at scc.virginia.gov/pages/Webcasting; (ii) by completing and emailing the PDF version of this form to SCCInfo@scc.virginia.gov; or (iii) by calling (804) 371-9141.
- (d) Beginning at 10 a.m., on June 9, 2022, the Commission will telephone sequentially each person who has signed up to testify as provided above. This hearing will not be convened, and the parties will be notified of such, if no person signs up to testify as a public witness.
- (e) This public witness hearing will be webcast at scc.virginia.gov/pages/Webcasting.

(6) On June 9, 2022, at 10 a.m., immediately following public witness testimony and either in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or by electronic means, a hearing will be convened to receive testimony and evidence from the Company, any respondents, and Staff. Further details on this hearing will be provided by subsequent Commission Order or Hearing Examiner's Ruling.

(7) An electronic copy of the Company's Application may be obtained by submitting a written request to counsel for the Company, Elaine S. Ryan, Esquire, and Timothy D. Patterson, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219-3916, eryan@mcguirewoods.com or tpatterson@mcguirewoods.com. Interested persons also may download unofficial copies from the Commission's website:

scc.virginia.gov/pages/Case-Information.

(8) On or before February 22, 2022, the Company shall cause the following notice to be published as display advertising (not classified) on one occasion in newspapers of general circulation throughout the Company's service territory in Virginia:

NOTICE TO THE PUBLIC OF THE APPLICATION OF
VIRGINIA NATURAL GAS, INC., FOR APPROVAL OF A
NEW RATE SCHEDULE AND TARIFF, DESIGNATED
SCHEDULE 17, RENEWABLE NATURAL GAS RECEIPT
SERVICE; IMPLEMENTATION OF A RENEWABLE
NATURAL GAS PILOT PROGRAM; AND APPROVAL TO
MODIFY TERMS AND CONDITIONS, PURSUANT TO
§ 56-234 OF THE CODE OF VIRGINIA
CASE NO. PUR-2021-00298

On December 21, 2021, Virginia Natural Gas, Inc. ("VNG" or "Company") filed an application ("Application") with the State Corporation Commission ("Commission") for "approval of its comprehensive program to promote sustainable natural gas development and production throughout the Commonwealth of Virginia" ("Sustainable Gas Program"). Specifically, as part of its Sustainable Gas Program, VNG seeks approval to:

- (i) establish a new rate schedule and tariff designated Rate Schedule 17, Renewable Natural Gas Receipt Service ("Schedule 17"), to allow renewable natural gas ("RNG") suppliers to interconnect production facilities with VNG's pipeline system pursuant to § 56-234 A of the Code of Virginia ("Code");
- (ii) implement an RNG pilot offering under Code § 56-234 B that will provide an interconnection allowance to be applicable to the capital costs necessary for interconnection ("RNG Interconnection Allowance Pilot" or "Pilot"); and (iii) modify section XX of VNG's Terms and Conditions to facilitate use of RNG and next generation natural gas ("NextGen Gas") for use in the Company's natural gas supply portfolio.

According to VNG, the Sustainable Gas Program would allow and encourage the production and delivery of RNG into VNG's pipeline system, support the procurement of RNG and NextGen Gas for VNG customers, and acquire information to analyze whether, and to what extent, the interconnection of RNG production facilities with VNG's existing system delivers benefits to customers, the Company, the environment, and economic development in the Commonwealth, all while developing best practices for RNG interconnection on a forward basis.

The Sustainable Gas Program includes the following components: a new rate schedule and tariff, a five-year RNG Interconnection Allowance Pilot, and a tariff modification proposal to permit recovery of incremental costs associated with purchases of RNG and NextGen Gas. Per VNG, there are no currently operating RNG production facilities interconnected to natural gas infrastructure in the Commonwealth, and VNG is proposing this tariff to facilitate and incentivize the development of such facilities. The Company states that by offering a standardized and clear set of services, terms, and conditions to RNG producers, interconnection offerings can encourage and facilitate the interconnection of RNG while also providing additional sustainable gas supply options for the pipeline system and existing customers. In addition, the proposed interconnection allowance for RNG producers will create an incentive to develop projects and keep the supply in the Commonwealth of Virginia.

Schedule 17. The Company's filing includes Schedule 17, which contains the general requirements necessary to serve RNG suppliers as well as a rate calculation methodology to establish a unique facilities fee for each supplier. Any RNG production facility located within VNG's service territory, or that can otherwise transport gas and interconnect with VNG's service territory, that contracts with the Company for an interconnection to deliver RNG to the Company's system would be eligible to subscribe to Schedule 17. The Company notes that suppliers would be required to agree to strict provisions and system requirements to ensure the RNG supplied meets the same standards as VNG's flowing gas supply.

VNG states that a Commission-approved tariff would provide authority for VNG to build interconnection facilities for RNG suppliers and to calculate and charge a rate that fully recovers the costs to operate and maintain the interconnection between the RNG supplier and VNG's distribution system, as well as costs such as depreciation expense and a reasonable return on any capital invested pursuant to the tariff provision.

RNG suppliers would subscribe to the new service by executing an interconnection agreement that includes the rate, term, and operational specifics for the project the RNG supplier is developing; each RNG supplier would be charged a facilities fee that accounts for all operations and maintenance ("O&M") expenses for the associated interconnection facilities and for all capital costs not recovered through other aspects of the Sustainable Gas Program.

RNG Interconnection Allowance Pilot. The Company is further proposing a Pilot under which VNG would provide an interconnection allowance for RNG producers to develop projects, keeping the supply in the Commonwealth, and which is designed to attract potential RNG suppliers and incentivize them to interconnect with VNG's system while also providing VNG and its customers an opportunity to immediately begin realizing the benefits of RNG. VNG asserts that the proposed Pilot is structured so that the Company would spend no more than \$4 million annually (\$20 million over the proposed five-year enrollment period) in capital investment. Under the terms of the Pilot as proposed, any RNG producer that is eligible to subscribe to the proposed Schedule 17 would also be eligible to receive an interconnection allowance under the Pilot; this eligibility would be limited to the active term of the Pilot and include a per-project cap of \$2 million. VNG proposes to recover this investment (up to \$4 million annually (\$20 million in total)) through base rates, with all other costs directly assigned to, and recovered from, each RNG producer.

Each participating RNG producer would be responsible for the annual O&M expenses associated with the facilities needed to interconnect with the Company's existing facilities, an administration fee, and any interconnection-related capital investment that exceeds the interconnection allowance provided under the Sustainable Gas Program. VNG proposes to bill the annual O&M expenses and administrative fee together in a fixed charge called the "facilities fee." The facilities fee would not be linked to production. VNG would calculate the facilities fee on an annual basis and charge participants in monthly increments.

The ultimate rate impact of these investments will be determined by the types of projects and the mix of capital investment deployed through this initiative. Assuming VNG invests the entire \$20 million available under the RNG Interconnection Allowance Pilot, VNG calculates that an average residential customer would experience an increase of less than \$0.50 per month. Additionally, for RNG projects that receive an interconnection allowance as part of the RNG Interconnection Allowance Pilot, VNG will receive a negotiated level of environmental attributes from participating facilities commensurate with the Company's capital investment.

The Company proposes to synchronize the start date of the Pilot with the execution of the first interconnection agreement under the Sustainable Gas Program to ensure the maximum impact

of the Pilot by eliminating idle years at the beginning thereof, while projects are being proposed but are not yet ready to move forward. Once the Pilot commences, VNG proposes an enrollment term of five years.

Modifications to Terms and Conditions. In addition to participating in the conventional gas market, VNG proposes to purchase both RNG and NextGen Gas for delivery and use on VNG's system. VNG further proposes to recover the commodity and any potential incremental costs associated with RNG and/or NextGen Gas through the Company's traditional gas cost recovery mechanism in VNG's tariff. To accomplish this, VNG proposes to list RNG and NextGen Gas among the types and sources of gas in the "Definitions" portion of VNG's Terms and Conditions (Section XX. Quarterly Billing Adjustments), thereby including these supply sources and associated incremental costs for recovery. VNG would limit the total annual incremental cost associated with RNG and NextGen Gas purchases to 15% of the total annual projected comparable gas cost that would have been included in the Purchased Gas Adjustment component of the Quarterly Billing Adjustment had the RNG and NextGen Gas purchases not been made.

The details of these and other proposals are set forth in the Company's Application. Interested persons are encouraged to review the Company's Application and supporting exhibits for the details of the proposals. TAKE NOTICE that that the Commission may make findings and order action in a manner differing from the Company's Application and supporting documents.

The Commission entered an Order for Notice and Hearing that, among other things, scheduled a public hearing on VNG's Application. On June 9, 2022, at 10 a.m., the Commission will hold a telephonic hearing, with no witness present in the Commission's courtroom, for the purpose of receiving the testimony of public witnesses. On or before June 3, 2022, any person desiring to offer testimony as a public witness shall provide to the Commission (a) your name, and (b) the telephone number that you wish the Commission to call during the hearing to receive your testimony. This information may be provided to the Commission in three ways: (i) by filling out a form on the Commission's website at scc.virginia.gov/pages/Webcasting; (ii) by completing and emailing the PDF version of this form to SCCInfo@scc.virginia.gov; or (iii) by calling (804) 371-9141.

This public witness hearing will be webcast at scc.virginia.gov/pages/Webcasting.

On June 9, 2022, at 10 a.m., immediately following public witness testimony and either in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or by electronic means, a hearing will be convened to receive testimony and evidence from the Company, any respondents, and the Commission's Staff. Further details on this hearing will be provided by subsequent Commission Order or Hearing Examiner's Ruling.

The Commission has taken judicial notice of the ongoing public health issues related to the spread of the coronavirus, or COVID-19. In accordance therewith, all pleadings, briefs, or other documents required to be served in this matter should be submitted electronically to the extent authorized by 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"). Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Rules of Practice, the Commission has directed that service on parties and the Commission's Staff in this matter shall be accomplished by electronic means. Please refer to the Commission's Order for Notice and Hearing for further instructions concerning Confidential or Extraordinarily Sensitive Information.

An electronic copy of the Company's Application may be obtained by submitting a written request to counsel for the Company, Elaine S. Ryan, Esquire, and Timothy D. Patterson, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219-3916, eryan@mcguirewoods.com or tpatterson@mcguirewoods.com.

On or before June 6, 2022, any interested person may submit written comments on the Application by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically

may file such comments by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All comments shall refer to Case No. PUR-2021-00298.

On or before March 28, 2022, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation at scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. Such notice of participation shall include the email addresses of such parties or their counsel, if available. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to Rule 5 VAC 5-20-80 B, *Participation as a respondent*, of the Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by Rule 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2021-00298.

All documents filed with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by the Commission's Order for Notice and Hearing, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Rules of Practice.

The Company's Application, the Commission's Rules of Practice, the Commission's Order for Notice and Hearing, and other documents filed in the case may be viewed at: scc.virginia.gov/pages/Case-Information.

VIRGINIA NATURAL GAS, INC.

(9) On or before February 22, 2022, the Company shall serve a copy of this Order for Notice and Hearing on the following officials, to the extent the position exists, in each county, city, and town in which the Company provides service in the Commonwealth of Virginia: the chairman of the board of supervisors of each county; the mayor or manager (or equivalent

official) of every city and town; and the county, city, or town attorney. Service shall be made by either personal delivery or first class mail to the customary place of business or residence of the person served.

(10) On or before March 11, 2022, the Company shall file proof of the notice and service required by Ordering Paragraphs (8) and (9), including the name, title, and address of each official served, with the Clerk of the Commission at scc.virginia.gov/clk/efiling/.

(11) On or before June 6, 2022, any interested person may submit written comments on the Application by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such comments by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All comments shall refer to Case No. PUR-2021-00298.

(12) On or before March 28, 2022, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation at scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. Such notice of participation shall include the email addresses of such parties or their counsel, if available. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as

required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2021-00298.

(13) Within three (3) business days of receipt of a notice of participation as a respondent, the Company shall serve upon each respondent a copy of the Application and supporting materials, unless these already have been provided to the respondent.

(14) On or before April 29, 2022, each respondent may file with the Clerk of the Commission, at scc.virginia.gov/clk/efiling, any testimony and exhibits by which the respondent expects to establish its case. Any respondent unable, as a practical matter, to file testimony and exhibits electronically may file such by U.S. mail to the Clerk of the Commission at the address above. Each witness's testimony shall include a summary not to exceed one page. All testimony and exhibits shall be served on the Company, Staff, and all other respondents. In all filings, respondents shall comply with the Commission's Rules of Practice, as modified herein, including, but not limited to: 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2021-00298.

(15) On or before May 12, 2022, Staff shall investigate the Application and file with the Clerk of the Commission its testimony and exhibits concerning the Application, and each Staff witness's testimony shall include a summary not to exceed one page. A copy thereof shall be served on counsel to the Company and all respondents.

(16) On or before May 25, 2022, the Company shall file with the Clerk of the Commission any rebuttal testimony and exhibits that it expects to offer, and each rebuttal witness's testimony shall include a summary not to exceed one page. The Company shall serve a copy of its rebuttal testimony and exhibits on Staff and all respondents.

(17) All documents filed with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified herein, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(18) Rule of Practice 5 VAC 5-20-260, *Interrogatories or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within five (5) business days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260 of the Rules of Practice, on the day that copies are filed with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically on the party to whom the interrogatory or request for production is directed or the assigned Staff attorney if the interrogatory or request for production is directed to Staff.³⁴ Except as modified above, discovery shall be in accordance with Part IV of the Rules of Practice, 5 VAC 5-20-240 *et seq.*

(19) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the Commission. A copy also shall be delivered to the Commission's Office of General Counsel and Divisions of Public Utility Regulation and Utility Accounting and Finance.

³⁴ The assigned Staff attorney is identified on the Commission's website, scc.virginia.gov/pages/Case-Information, by clicking "Docket Search," then clicking "Search by Case Information," and entering the case number, PUR-2021-00298, in the appropriate box.